

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 67) commending the Blue Devils of Duke University for winning the 2001 National Collegiate Athletic Association Mens Basketball Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. HELMS. Mr. President, Monday night, April 2, I was one of the countless North Carolinians—along with students, alumni, and admirers from across the country—watching the Blue Devils of Duke University win the 2001 NCAA Men's College Basketball National Championship.

The talented young men who make up Duke's remarkable team have assembled a fine record in winning its third championship in the last eleven years.

Mr. President, Duke University's Men's Basketball program has indeed achieved a special place in sports history.

North Carolinians have become accustomed to outstanding basketball teams representing our state during the past quarter century. In addition to Duke's three National Championships, the North Carolina Tar Heels brought home the trophy in 1982 and 1993, while the North Carolina State Wolfpack won in 1974 and again in the memorable 1983 tournament when coached by the brave and inspirational Jim Valvano, whom is missed greatly.

But on the April 2 night, after a hard-fought battle with the fine Wildcats of Arizona University, the Duke Blue Devils emerged victorious, 82-72. Led by All-Americans Shane Battier and Jason Williams and boosted by a stellar performance by sophomore sharpshooter Mike Dunleavy, this Duke team is an example of what can be achieved through hard work and dedication.

Mr. President, the 2001 Duke team breezed through the season with customary excellence, finishing tied for first place in the Atlantic Coast Conference regular season, winning or sharing this honor for an unprecedented fifth time in five years. Duke then proceeded to win the ACC championship for the third year in a row.

Coach Mike Krzyzewski has built a much admired program during his 21 seasons at Duke. He recruits talented and committed student-athletes and molds them into a tightly-knit basketball "family". His dedication to the team members has been rewarded with long-lasting relationships between coach and player.

"Coach K's" guidance is often cited by his former players as crucial to each of them realizing his potential both on and off the court.

This program has earned Coach Krzyzewski and his teams not only three national championships, but seven appearances in National Championship games during the past 16 years.

The Duke program is a meaningful example for Americans, especially younger Americans, of determination, perseverance, and success in North Carolina. Day in and day out, whether in the classroom or on the court, the members of this team have shown the country what it takes to be national champions.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 67) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 67

Whereas the 2000-2001 Duke University Blue Devils' men's basketball team (referred to in this resolution as the "Duke Blue Devils") had a spectacular season;

Whereas the Duke Blue Devils finished the regular season with a 26-4 record, claiming a record 5 straight finishes in first place during the Atlantic Coast Conference regular season;

Whereas the Duke Blue Devils won the 2001 Atlantic Coast Conference Tournament Championship, winning the championship of that tournament for the third year in a row;

Whereas the Duke Blue Devils are the first men's basketball team to be a number 1 seed in the National Collegiate Athletic Association's Men's Basketball Tournament during 4 consecutive seasons since that association began seeding teams in 1979;

Whereas the Duke Blue Devils amassed the most wins, 133, in a 4-year period of any National Collegiate Athletic Association men's basketball team in history;

Whereas Shane Battier received the 2001 Naismith Award as men's college basketball Player of the Year;

Whereas Coach Mike Krzyzewski has taken the Duke Blue Devils to 7 national championship games in 16 years;

Whereas Coach Krzyzewski led the Duke Blue Devils to the team's third national championship;

Whereas the Duke Blue Devils are a fine example of academic and athletic dedication and success;

Whereas the team's success during the 2000-2001 season was truly a team accomplishment; and

Whereas the Duke Blue Devils won the 2001 National Collegiate Athletic Association Men's Basketball Championship: Now, therefore, be it

Resolved, That the Senate commends the Blue Devils of Duke University for winning the 2001 National Collegiate Athletic Association Men's Basketball Championship.

MAD COW AND RELATED DISEASES PREVENTION ACT OF 2001

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 31, S. 700.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 700) to establish a Federal inter-agency task force for the purpose of coordi-

nating actions to prevent the outbreak of bovine spongiform encephalopathy (commonly known as "mad cow disease") and foot-and-mouth disease in the United States.

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 350

Mr. DOMENICI. Mr. President, Senator HATCH has an amendment at the desk for himself and others. I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Mexico [Mr. DOMENICI], for Mr. HATCH, for himself, Mr. HARKIN, Mr. CAMPBELL, Mr. DURBIN, Mr. DASCHLE, Mr. ROBERTS, Mr. DAYTON, Mr. CONRAD, Mr. DORGAN, Mr. JOHNSON, Mr. FEINGOLD, Mr. KOHL, Mr. NELSON of NE, Mr. GRASSLEY, Mr. LUGAR, Mr. BOND, Mr. BROWNBACK, Mrs. FEINSTEIN, Mr. AKAKA, Mr. BINGAMAN, Mr. BAUCUS, Mr. BURNS, Mr. CRAIG, Mr. ENZI, Mr. THOMAS, Mrs. LINCOLN, Mr. EDWARDS, Mr. HOLLINGS, Mr. HELMS, Mrs. CLINTON, Mr. CRAPO, Ms. MIKULSKI, Mr. LEAHY, Mr. FITZGERALD, Mr. WYDEN, Mr. ROCKEFELLER, Mr. ALLARD, Ms. STABENOW, Mr. BREAUX, Mr. MCCONNELL, Mr. WELLSTONE, Mr. TORRICELLI, Mr. COCHRAN, and Mrs. MURRAY, proposes an amendment numbered 350.

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. DOMENICI. Mr. President, I ask unanimous consent that the amendment be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 350) was agreed to.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the bill, as amended, be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 700), as amended, was read the third time and passed, as follows:

S. 700

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Animal Disease Risk Assessment, Prevention, and Control Act of 2001".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) it is in the interest of the United States to maintain healthy livestock herds;

(2) managing the risks of foot and mouth disease, bovine spongiform encephalopathy, and related diseases in the United States may require billions of dollars for remedial activities by consumers, producers, and distributors of livestock, and animal, and blood products;

(3) the potential introduction of those diseases into the United States would cause devastating financial losses to—

(A) the agriculture industry and other economic sectors; and

(B) United States trade in the affected animals and animal products;

(4) foot and mouth disease is a severe and highly contagious viral infection affecting cattle, deer, goats, sheep, swine, and other animals;

(5) the most effective means of eradicating foot and mouth disease is by the slaughter of affected animals;

(6) while foot and mouth disease was eradicated in the United States in 1929, the virus could be reintroduced by—

(A) a single infected animal, an animal product, or a person carrying the virus;

(B) an act of terrorism; or

(C) other means;

(7) once introduced, foot and mouth disease can spread quickly through—

(A) exposure to aerosols from infected animals;

(B) direct contact with infected animals; and

(C) contact with contaminated feed, equipment, or humans harboring the virus or carrying the virus on their clothing;

(8) foot and mouth disease is endemic to more than 3/4 of the world and is considered to be widespread in parts of Africa, Asia, Europe, and South America;

(9) foot and mouth disease occurs in over 7 different serotypes and 60 subtypes;

(10) as foot and mouth disease outbreaks have occurred, the United States has banned the importation of live ruminants and swine and many animal products from countries affected by foot and mouth disease;

(11) recently, the United States has implemented bans in response to outbreaks in Argentina, the European Union, and Taiwan;

(12) although United States exclusion programs have been successful at keeping foot and mouth disease out of the United States since 1929, recent outbreaks in Argentina, the European Union, and Taiwan are placing an unprecedented strain on our animal health system;

(13) bovine spongiform encephalopathy is a transmissible, neuro-degenerative disease found in cattle;

(14) in cattle with bovine spongiform encephalopathy, the active agent is found primarily in the brain and spinal cord and has not been found in commonly consumed beef products;

(15) bovine spongiform encephalopathy is thought to have an incubation period of several years but is ultimately fatal to cattle within weeks of onset of the active disease;

(16) bovine spongiform encephalopathy was first widely found in 1986 in cattle in the United Kingdom;

(17) bovine spongiform encephalopathy-carrying cattle have been found in cattle in Belgium, Denmark, France, Germany, Ireland, Italy, Liechtenstein, Luxembourg, the Netherlands, Portugal, Spain, and Switzerland;

(18) cattle infected with bovine spongiform encephalopathy originating from the United Kingdom have been found and intercepted in Canada;

(19) since 1989, the Secretary of Agriculture has prohibited the importation of live grazing animals from countries where bovine spongiform encephalopathy has been found in cattle;

(20) other products derived from grazing animals, such as blood meal, bonemeal, fat, fetal bovine serum, glands, meat-and-bone meal, and offal, are prohibited from entry, except under special conditions or under permits issued by the Secretary of Agriculture for scientific or research purposes;

(21) on December 12, 1997, the Secretary of Agriculture extended those restrictions to include all countries in Europe because of concerns about widespread risk factors and inadequate surveillance for bovine spongiform encephalopathy;

(22) on December 7, 2000, the Secretary of Agriculture prohibited all imports of rendered animal protein products from Europe;

(23) Creutzfeldt-Jacob disease is a human spongiform encephalopathy;

(24) on March 20, 1996, the Spongiform Encephalopathy Advisory Committee of the United Kingdom announced the identification of 10 cases of a new variant of Creutzfeldt-Jacob disease;

(25) all 10 patients developed onsets of the disease in 1994 or 1995;

(26) scientific experts (including scientists at the Department of Agriculture, the Department of Health and Human Services, and the World Health Organization) are studying the possible link (including potential routes of transmission) between bovine spongiform encephalopathy and variant Creutzfeldt-Jacob disease;

(27) from October 1996 to December 2000, 87 cases of variant Creutzfeldt-Jacob disease have been reported in the United Kingdom, 3 cases in France, and 1 case in Ireland; and

(28) to reduce the risk of human spongiform encephalopathies in the United States, the Commissioner of Food and Drugs has—

(A) banned individuals who lived in Great Britain for at least 180 days since 1980 from donating blood in the United States; and

(B) established regulations that prohibit the feeding of most animal-derived proteins to grazing animals.

(b) PURPOSE.—The purpose of this Act is to provide the people of the United States and Congress with information concerning—

(1) actions by Federal agencies to prevent foot and mouth disease, bovine spongiform encephalopathy, and related diseases;

(2) the sufficiency of legislative authority to prevent or control foot and mouth disease, bovine spongiform encephalopathy, and related diseases in the United States;

(3) the economic impacts associated with the potential introduction of foot and mouth disease, bovine spongiform encephalopathy, and related diseases into the United States; and

(4) the risks to public health from possible links between bovine spongiform encephalopathy and other spongiform encephalopathies to human illnesses.

SEC. 3. REPORT TO CONGRESS.

(a) PRELIMINARY REPORT.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary of Agriculture shall submit to the Committees and Subcommittees described in paragraph (2) a preliminary report concerning—

(A) coordinated interagency activities to assess, prevent, and control the spread of foot and mouth disease and bovine spongiform encephalopathy in the United States;

(B) sources of information from the Federal Government available to the public on foot and mouth disease and bovine spongiform encephalopathy; and

(C) any immediate needs for additional legislative authority, appropriations, or product bans to prevent the introduction of foot and mouth disease or bovine spongiform encephalopathy into the United States.

(2) SUBMISSION OF REPORT TO CONGRESS.—The Secretary shall submit the preliminary report to—

(A) the Committee on Agriculture of the House of Representatives;

(B) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(C) the Subcommittee on Agriculture, Rural Development, and Related Agencies of the Committee on Appropriations of the Senate; and

(D) the Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies of the Committee on Appropriations of the House of Representatives.

(b) FINAL REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall submit to the Committees and Subcommittees described in subsection (a)(2) a final report that—

(A) discusses the economic impacts associated with the potential introduction of foot and mouth disease, bovine spongiform encephalopathy, and related diseases into the United States;

(B) discusses the potential risks to public and animal health from foot and mouth disease, bovine spongiform encephalopathy, and related diseases; and

(C) provides recommendations to protect the health of animal herds and citizens of the United States from those risks including, if necessary, recommendations for additional legislation, appropriations, or product bans.

(2) CONTENTS.—The report shall contain—

(A) an assessment of the risks to the public presented by the potential presence of foot and mouth disease, bovine spongiform encephalopathy, and related diseases in domestic and imported livestock, livestock products, wildlife, and blood products;

(B) recommendations to reduce and manage the risks of foot and mouth disease, bovine spongiform encephalopathy, and related diseases;

(C) any plans of the Secretary to identify, prevent, and control foot and mouth disease, bovine spongiform encephalopathy, and related diseases in domestic and imported livestock, livestock products, wildlife, and blood products;

(D) a description of the incidence and prevalence of foot and mouth disease, bovine spongiform encephalopathy, variant Creutzfeldt-Jacob disease, and related diseases in other countries;

(E) a description and an analysis of the effectiveness of the measures taken to assess, prevent, and control the risks of foot and mouth disease, bovine spongiform encephalopathy, variant Creutzfeldt-Jacob disease, and related diseases in other countries;

(F) a description and an analysis of the effectiveness of the measures that the public, private, and nonprofit sectors have taken to assess, prevent, and control the risk of foot and mouth disease, bovine spongiform encephalopathy, and related diseases in the United States, including controls of ports of entry and other conveyances;

(G) a description of the measures taken to prevent and control the risk of bovine spongiform encephalopathy and variant Creutzfeldt-Jacob disease transmission through blood collection and transfusion;

(H) a description of any measures (including any planning or managerial initiatives such as interagency, intergovernmental, international, and public-private sector partnerships) that any Federal agency plans to initiate or continue to assess, prevent, and control the spread of foot and mouth disease, bovine spongiform encephalopathy, variant Creutzfeldt-Jacob disease, and related diseases in the United States and other countries;

(I) plans by Federal agencies (including the Centers for Disease Control and Prevention)—

(i) to monitor the incidence and prevalence of the transmission of foot and mouth disease, bovine spongiform encephalopathy, variant Creutzfeldt-Jacob disease, and related diseases in the United States; and

(ii) to assess the effectiveness of efforts to prevent and control the spread of foot and mouth disease, bovine spongiform encephalopathy, variant Creutzfeldt-Jacob disease, and related diseases in the United States;

(J) plans by Federal agencies (including the Agricultural Research Service, the Cooperative State Research, Education, and Extension Service, and the National Institutes of Health) to carry out, in partnership with the private sector—

(i) research programs into the causes and mechanism of transmission of foot and mouth disease and bovine spongiform encephalopathy; and

(ii) diagnostic tools and preventive and therapeutic agents for foot and mouth disease, bovine spongiform encephalopathy, variant Creutzfeldt-Jacob disease, and related diseases;

(K) plans for providing appropriate compensation for affected animals in the event of the introduction of foot and mouth disease, bovine spongiform encephalopathy, or related diseases into the United States; and

(L) recommendations to Congress for legislation that will improve efforts to assess, prevent, or control the transmission of foot and mouth disease, bovine spongiform encephalopathy, variant Creutzfeldt-Jacob disease, and related diseases in the United States and in other countries.

(c) CONSULTATION.—

(1) PRELIMINARY REPORT.—In preparing the preliminary report under subsection (a), the Secretary shall consult with—

- (A) the Secretary of the Treasury
- (B) the Secretary of Commerce;
- (C) the Secretary of State;

(D) the Secretary of Health and Human Services;

(E) the Secretary of Defense;

(F) the United States Trade Representative;

(G) the Director of the Federal Emergency Management Agency; and

(H) representatives of other appropriate Federal agencies;

(2) FINAL REPORT.—In preparing the final report under subsection (b), the Secretary shall consult with—

(A) the individuals listed in paragraph (1);

(B) private and nonprofit sector experts in infectious disease, research, prevention, and control;

(C) international, State, and local governmental animal health officials;

(D) private, nonprofit, and public sector livestock experts;

(E) representatives of blood collection and distribution entities; and

(F) representatives of consumer and patient organizations and other interested members of the public.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. DOMENICI. Mr. President, I ask unanimous consent that the Senate proceed to executive session to con-

sider the following nominations en bloc: Calendar No. 36, William Taft, IV; Calendar No. 37, Argeo Paul Cellucci; and nominations on the Secretary's desk in the Foreign Service.

I further ask unanimous consent that the nominations be confirmed en bloc, the motion to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF STATE

William Howard Taft, IV, of Virginia, to be Legal Adviser of the Department of State.

Argeo Paul Cellucci, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Canada.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

FOREIGN SERVICE

Foreign Service nominations (165) beginning E. Cecile Adams, and ending William G.L. Gaskill, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 13, 2001.